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Attorneys for Plaintiff SIRNA THERAPEUTICS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT
SAN FRANCISCO DIVISION

SIRNA THERAPEUTICS, INC.,
Plaintiff,

v.

PROTIVA BIOTHERAPEUTICS, INC.
and MARK J. MURRAY,

Defendants.

Case No. C-06-1361 MMC
Complaint filed: February 23, 2006

**STIPULATION AND ~~[PROPOSED]~~ ORDER
TO:**

**(a) EXTEND DEFENDANTS' TIME TO
ANSWER THE COMPLAINT; AND**

**(b) EXTEND THE PARTIES' TIME TO
COMPLY WITH THEIR INITIAL
DISCOVERY OBLIGATIONS**

1 The parties herein, by and through their counsel of record, hereby stipulate and
2 agree as follows:

3 WHEREAS Plaintiff filed its Complaint on February 23, 2006;

4 WHEREAS this Court issued an Order Setting Initial Case Management
5 Conference And ADR Deadlines setting May 5, 2006 as the last day for the parties to meet and
6 confer and to file a joint ADR Certification with Stipulation to ADR Process or Notice of Need
7 for ADR Phone Conference; May 19, 2006 as the last day for the parties to submit their initial
8 disclosures or objections and case management statement pursuant Federal Rule of Civil
9 Procedure 26(f) and Local Rule 16-9; and May 26, 2006 as the date of the Case Management
10 Conference ("CMC");

11 WHEREAS Plaintiff subsequently filed an Amended Complaint on April 25, 2006
12 and served Defendants with the Amended Complaint and the Court's Order on April 27, 2006;

13 WHEREAS the Defendants were recently served, the parties respectfully request
14 the Court to extend all deadlines in its Order by six weeks, setting June 23, July 7, and July 14 as
15 the new deadlines;

16 WHEREAS the parties have also agreed to extend Defendants' time to answer or
17 otherwise respond to the Complaint by twenty days, until Wednesday, June 7, 2006.

18
19 NOW, THEREFORE, the parties request that the Court order the following:

20 1. June 23, 2006 is the last day for the parties to meet and confer and to file a
21 joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone
22 Conference;

23 2. July 7, 2006 is the last day for the parties to submit their initial disclosures
24 or objections and case management statement pursuant to the Federal Rule of Civil Procedure
25 26(f);

26 3. The CMC will be held on July 14, 2006 at 10:30 a.m.;

27 //

28 //

4. Defendants' last day to file an Answer or otherwise respond to Plaintiff's
Complaint is June 7, 2006.

So stipulated:
Dated: May 5, 2006

/ s /

Elizabeth Howard
Attorney for Defendants
PROTIVA BIOTHERAPEUTICS, INC. and
MARK J. MURRAY

Dated: May 5, 2006

/ s /

Meredith N. Landy
Attorney for Plaintiff
SIRNA THERAPEUTICS, INC.

I hereby attest that concurrence in this joint document has been obtained from
Meredith N. Landy, counsel for Plaintiff.

Dated: May 5, 2006

/ s /

Elizabeth Howard
Attorney for Defendants
PROTIVA BIOTHERAPEUTICS, INC. and
MARK J. MURRAY

SO ORDERED:

Dated: May 8, 2006



The Hon. Maxine M. Chesney
United States District Judge